

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 23-0748-KWR-1

SOLOMON PEÑA,

Defendant.

SCHEDULING ORDER

THIS MATTER is before the Court after entry of the Order Continuing Trial (Doc. 284). The Court having held a scheduling conference on October 23, 2024, finding that the proposed scheduling order, Doc. 286 is well taken and that issuance of the scheduling order is appropriate. The Court hereby imposes the following scheduling order to account for the pretrial motions, pretrial hearings and trial deadlines:

Date/Deadline	Event
November 1, 2024	Defense motion to sever counts into separate trials <i>(timely response/reply due per local rules)</i>
<i>December 5, 2024 at 9:00 a.m.</i>	Hearing on any motion to sever counts
December 2, 2024	Substantive Pretrial (Rule 12(b)(3)(A)-(C)) Motions
November 12, 2024	Government's notice of intent and motion to introduce evidence of co-conspirator statements pursuant to Fed. R. Evid. 801(d)(2)(E) or motion for production of alleged co-conspirator statements
<i>December 18, 2024 at 9:00 a.m.</i>	<i>James</i> hearing

November 18, 2024	Proposed Supplemental Juror Questionnaires: The parties shall confer in advance and then file a single document listing agreed and disputed questions. Each side may file an optional memorandum of no more than 5 pages within 2 days of the joint submission addressing disagreements.
December 23, 2024	Government's Expert Disclosures Responses to Substantive Pretrial Motions
January 6, 2025	Defense's Expert Disclosures Discovery Motions Government's Fed. R. Evid. 404(b) & 609 Disclosures
January 13, 2025	Replies in Support of Substantive Pretrial Motions
January 20, 2025	<i>Daubert</i> Motions Defense's objections to Fed. R. Evid. 404(b)/609 Disclosures Motions in <i>Limine</i>
February 3, 2025	<p>*Exhibit Lists: Exhibit lists should include Bates numbers or the exhibits should be provided to the opposing party. Audiovisual files intended to be admitted only in part should indicate the timestamps of the admitted portions. Any Fed. R. Evid. 1006 summaries should be disclosed.</p> <p>*Witness Lists: Witness lists should include all contact information—including email address(es) and phone number(s)—the proponent has available.</p> <p>*Proposed <i>Voir Dire</i>: Each side will have 1 hour for <i>voir dire</i>.</p> <p>*Joint jury instructions: Parties shall meet and confer in advance of the deadline to agree on as many instructions as possible. Parties shall be prepared to submit a legal basis for their objections to each instruction on which they do not agree.</p>
February 10, 2025	<p>*Objections to jury instructions</p> <p>* Objections to Exhibit Lists, Witness Lists, or Proposed <i>Voir Dire</i></p> <p>* Responses to Motions in <i>Limine</i></p>

	<i>*Jencks & Reverse Jencks Disclosures</i>
February 24, 2025	Joint Statement of Case Exhibit Binders delivered to Court. <i>*Detailed Trial Schedule (*See Preparation for Criminal Trial)</i>
<i>March 4, 2025 at 9:00 a.m.</i>	Pretrial Conference (Any remaining issues to be addressed)
<i>March 10, 2025 at 9:00 a.m.</i>	Jury Selection/Trial (estimated 2 weeks)

This Scheduling Order may be amended for good cause shown.

IT IS ORDERED that counsel shall adhere to the instructions and case management deadlines as set forth in the following attachment, “Preparation for Criminal Trial” if not otherwise specified above (includes guidelines for preparation of proposed jury instructions, JERS Informational Letter, and JERS link).

IT IS SO ORDERED.

/s/
KEA W. RIGGS
UNITED STATES DISTRICT JUDGE